

MINUTES

SAN DIEGO COUNTY PLANNING COMMISSION

Regular Meeting – December 12, 2004

DPLU Hearing Room, 9:00 a.m.

The meeting convened at 9:02 a.m. and adjourned at 10:31 a.m.

ROLL CALL

Commissioners Present: Beck, Edwards, Miller, Woods

Commissioners Absent: Brooks, Day, Kreitzer

Advisors Present: Taylor

Staff Present: Pryor, Elias, Hulse, Porter, Beddow, Russell, Bunnemeyer, Molby, Sibbet, Jones (recording secretary)

1. Director's Report:

Staff provides a report to the Commission on the impacts of illegal road improvements in the Dos Picos/Iron Mountain area. Staff explains that the original road was created by the Department of Forestry in 1940s or 1950s. Private maintenance by property owners eventually led to the erosion problems. Staff subsequently issued a clean-up and abatement order and requirements for compliance with the County's Stormwater Management Ordinance. DPLU reviewed and approved a Stormwater Management Plan that includes including revegetation. This Plan was implemented in 2003. The property owners will be required to monitor the stormwater BMPs to ensure that no further erosion occurs.

2. Public Requests:

Opportunity for members of the public to speak to the Commission on any subject matter within the Commission's jurisdiction but not an item on today's agenda.

Ron Sullivan, a Ramona resident and property owner, expands on Staff's report regarding the illegal road improvements, and its impacts and explains that Ramona Sentinel reporters interviewed none of the property owners. He concurs that the road has existed for almost 50 years. Mr. Sullivan informs the Commission that the fire department made extensive use of the road during the recent fires, and suggests that Staff visit roads that access the properties of Ramona Planning Group representatives to ensure that they've not been improved without the necessary Permits.

3. Approval of Minutes: October 16 and November 14, 2003

Action: Because no action was taken on these Minutes, they will be placed on the January 9, 2004 Agenda.

ZAP 02-046:

4. Sprint PCS, Appeal of Minor Use Permit ZAP 02-046, San Dieguito Community Planning Area

Appeal, filed by the Rancho Santa Fe Association, of the Zoning Administrator's October 7, 2003 approval of Minor Use Permit ZAP 02-046. The application is for a wireless telecommunications facility and associated equipment cabinets. The proposed facility will be situated within the County right-of-way on El Camino del Norte. The facility will consist of mounting two antennas and one GPS antenna to new 10-foot wide cross arms located 29.9 feet above grade mounted to a replacement 44-foot tall SDG&E utility pole on the north side of El Camino del Norte. The distribution cabinet will be situated above ground on a concrete pad to the northwest of the replaced utility pole and surrounded by landscaping.

Staff Presentation: Sibbet

Proponents: 6; **Opponents:** 8

The Rancho Santa Fe Association representative requests that the Commission postpone consideration of this appeal to allow review of recently received information. She informs the Commission of the Association's concerns about whether the site is designated as historic. Expressing concern that the Association's request is an effort to delay the project, Commissioners Edwards and Woods announce they will support the requested continuance, and warn the Association's representative that the hearing will be postponed this time only.

Action: Edwards – Beck

Postpone consideration of Minor Use Permit ZAP 02-046 to the hearing of January 23, 2004.

Ayes:	4 -	Beck, Edwards, Miller, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Day, Kreitzer

ZAP 01-040:

5. Nextel Communications, Appeal of Minor Use Permit ZAP 01-040, Valle de Oro Community Planning Area

Appeal, filed by the Valle de Oro Planning Group, of the Zoning Administrator's decision of October 21, 2003 to approve Minor Use Permit ZAP 01-040 for a telecommunication facility. The proposed telecommunication facility would consist of a 35-foot tall faux mono-cypress designed to appear exactly like a live cypress tree. The antennas will be completely concealed inside the tree. The associated equipment will be located inside a nearby 230 square-foot shelter. The facility will be unmanned and approximately one or two visits per month by a maintenance vehicle are anticipated. The proposed project is located at 3686 El Canto Drive. This telecommunication facility is classified as a Minor Impact Utility pursuant to Sections 1355 2104b of the Zoning Ordinance.

Staff Presentation: Sibbet

Proponents: 1; **Opponents:** 7

Discussion:

The Valley de Oro Community Planning Group chairman and project opponents believe that (1) the proposed project is incompatible with the area; (2) the site is unsuitable for the proposal; and (3) an EIR should be required. However, Staff found numerous large cypress trees within a half-mile of the project site, as well as several large utility poles, and a very large ham-radio antenna. Staff states the proposed faux cypress is similar to other trees in the neighborhood, and will be completely hidden amongst existing and new trees. Staff reminds the Commission that the site will be heavily screened and approximately 95 feet from the road. In addition, the applicant is required to plant 35-foot trees to assist in screening the facility and equipment shelter, and required to maintain the landscaping at all times. The existing trees are to remain or be replaced by similar trees if they do not survive. Staff does not believe an EIR is necessary, explaining that a Negative Declaration was prepared and no significant impacts were identified. Staff also clarifies that the proposed project is not subject to the requirements of the County's Telecommunications Ordinance, but would still be approved if the Ordinance were applicable.

The Valle de Planning Group representative and project opponents continue to voice concerns about the incompatibility of this project with the area, its potential impacts on property values, and possible traffic safety hazards resulting from

ZAP 01-040:

maintenance vehicles parking on the street. They insist that the property owner does not currently maintain the site, and provide a visual presentation supporting their claims of its current neglected state. They believe the applicant should investigate collocation or alternative locations, and should be required to clean up the property and be responsible for maintenance of all existing and new landscaping on the site.

The applicant's representative reminds the Commission that maintenance vehicles will only visit the site every four to six weeks and will park onsite. With respect to maintenance of the site, the applicant is only responsible for maintaining the portion of the site leased for the facility and the trees around the perimeter.

The Commissioners voice concern about the current blighted condition of the site, and question whether the applicant can be required to clean it up. This is not supported by County Counsel because the property owner lives on the site, and imposing such a Condition on the applicant could difficult to enforce. The Planning Commissioners also seek assurance that the required landscaping and perimeter trees will receive adequate irrigation, and recommend landscaping and maintenance of the driveway and parking area.

Tentatively approve Minor Use Permit ZAP 02-040. Staff is to return on January 9, 2004, with a Decision requiring that the applicant submit a full landscape, irrigation and monitoring plan that includes all landscaping and buffering along the perimeter of the site and around the facility, as well as the driveway, parking area and entire perimeter of El Canto Drive. This irrigation system is to be automatic. Code Enforcement is to investigate violations on the property and remediation for those violations, and report back to the Planning Group and the Planning Commission. Monitoring is to be performed twice yearly for the first year, and annually thereafter.

Ayes:	4 -	Beck, Edwards, Miller, Woods
Noes:	0 -	None
Abstain:	0 -	None
Absent:	3 -	Brooks, Day, Kreitzer

6. Report on actions of Planning Commission's Subcommittees.

There were none.

7. Designation of member to represent the Planning Commission at Board of Supervisors meeting(s):

None.

8. Discussion of correspondence received by the Planning Commission:

There was none.

9. Scheduled Meetings:

January 9, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
January 23, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
February 6, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
February 20, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
March 5, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
March 19, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 2, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 16, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
April 30, 2004	Planning Commission Workshop, DPLU Hearing Room, 9:00 a.m.
May 14, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
May 28, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
June 11, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
July 9, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
July 23, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
August 6, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
August 20, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
September 3, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.
September 17, 2004	Regular Meeting, DPLU Hearing Room, 9:00 a.m.

There being no further business to be considered at this time, the Chairperson adjourned the meeting at 10:31 a.m. to 9:00 a.m. on January 9, 2004 in the DPLU Hearing Room, 5201 Ruffin Road, Suite B, San Diego, California.